

# DECISION



THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548

FILE: B-130082

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MATTER OF: Reimbursement for travel on nonworkdays  
between temporary duty and official stations

DIGEST: Where agency after cost analysis determines that the costs of reimbursing employees who are required to perform extended periods of temporary duty for expense of periodically traveling between the temporary duty point and official station for nonworkdays is outweighed by savings in terms of employee efficiency, and productivity and reduced costs of employment and retention of such employees, the cost of authorized weekend return travel, may be considered a necessary travel expense of the agency.

This action concerns the propriety of Government agencies paying civilian employees for the expense of travel, prior to the completion of a temporary duty (TDY) assignment, between their TDY stations and their official stations for weekends or other nonworkdays under orders authorizing or requiring such travel.

This subject has been discussed over a period of time between representatives of the General Accounting Office and the General Services Administration. From those discussions and other inquiries, our Office has concluded that agency officials are in need of guidance on the extent of their authority to authorize or require weekend return travel. We, therefore, are issuing this decision to clarify the matter.

The primary statutory authority of general application which relates to official travel is contained in subchapter I (sections 5701-5709), chapter 57, title 5, United States Code, as amended by Pub. L. No. 94-22, approved May 19, 1975, 89 Stat. 84.

Section 5707 of title 5, United States Code, as amended by Pub. L. No. 94-22, directs the Administrator of General Services to prescribe regulations to carry out the subchapter. The Federal Travel Regulations (FPMR 101-7), chapter 1, issued thereunder by the General Services

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Administration, govern travel for civilian employees of the Government. FTR paras. 1-7.5c and 1-8.4f (May 1973) provide that an employee who voluntarily returns for nonworkdays to his official station, or his place of abode to which he commutes daily to his official station, may be allowed round-trip travel and transportation expenses, not to exceed the travel expenses which would have been allowable had the employee remained at his TDY station. In addition, those paragraphs provide that, "at the discretion of the administrative officials, a traveler may be required to return to his official station for nonworkdays." There are no prescribed monetary standards under the latter provision as to when travel on nonworkdays would or should be required. Also, we view the term "required" in the regulation as sufficiently broad in scope to include an "authorized" return. We so hold because the primary distinction the regulation seems to be concerned with is that between a "voluntary" return at the employee's discretion and a return required or authorized at the discretion of the administration officials.

A question raised is whether the appropriations of the agencies concerned are available for the payment of these expenses. In this regard appropriations acts commonly provide for the necessary expenses of the agency concerned. To determine the availability of appropriations of this type for a particular expense, our Office has applied the test of whether the expense involved is reasonably necessary or incident to the execution of the program or activity authorized by the appropriation. In situations involving the availability of appropriations for expenses other than travel, our Office has not objected to determinations that expenditures for particular purposes constituted necessary expenses under the appropriation involved on the basis of factors such as improvement of employee morale, increased productivity and resulting savings to the Government, and assisting the agency in hiring and retaining employees. B-169141, November 17, 1970, and March 23, 1970, and 51 Comp. Gen. 797 (1972).

We recognize that difficulties may be encountered by agencies in employing and retaining employees for positions requiring extended periods of TDY and believe that the cost impact of problems in these areas may, to some degree, be reduced by authorizing periodic weekend return travel. Thus, if after appropriate cost analysis, the agency determines that the costs of periodic weekend return travel are

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outweighed by savings in terms of increased efficiency and productivity, as well as reduced costs of recruitment and retention, such return travel may be authorized within the limits of appropriations available for payment of travel expenses. The cost analysis necessary to a determination that net savings will accrue to the Government and, hence that authorization of weekend return travel is warranted, should be conducted no less frequently than every other year. Agencies should implement their determinations by appropriate guidelines.

Weekend return travel constitutes an exception to the directive on scheduling of travel contained at 5 U.S.C. 6101(b)(2) and should be performed outside the employee's regular duty hours or during periods of authorized leave. However, in the case of employees not exempt from the Fair Labor Standards Act overtime provisions, consideration should be given to scheduling required travel to minimize payment of overtime, including scheduling of travel during regular duty hours where necessary.

Until such time as the General Services Administration takes action to specifically include in the above-cited regulations guidelines covering this matter, agencies should make prudent use of the weekend return authority outlined in this decision.

(SIGNED) ELMER B. STAATS

Comptroller General  
of the United States